

REMARKS

Claims 7-12 are currently pending and are currently amended for clarity thereof.

New matter has been added.

The substituted specification filed 8 July 2004 has not been entered because Applicants have not provided that no new matter was introduced therein. Applicants hereby state that no new matter has been added in the substituted specification filed 8 July 2004 and respectfully request that the substituted specification be entered. All references to the specification herein below are based on the substituted specification.

In the Office Action dated July 12, 2006, the Examiner rejected claims 7-12 under 35 § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. With reasons and remarks set forth herein below, Applicants believe that all pending grounds of the rejection have been overcome and thus respectfully request issuance a notice of allowance.

With regard to Claim 7, the Examiner believed to be unclear whether the claimed Ra and Wca values pertain to the steel sheet prior to provision of the galvanized layer or to the steel sheet after provision of the galvanized layer. Claim 7 has been amended to clarify this point. The basis for the amendments can be found in the Specification: For example, see paragraphs [0015] ("imposing roughness on a plated surface"); [0035] (Example 1, "The chemical compositions of the plated layers and the surface roughness of the plated steel sheets thus produced are shown in Table 1.")

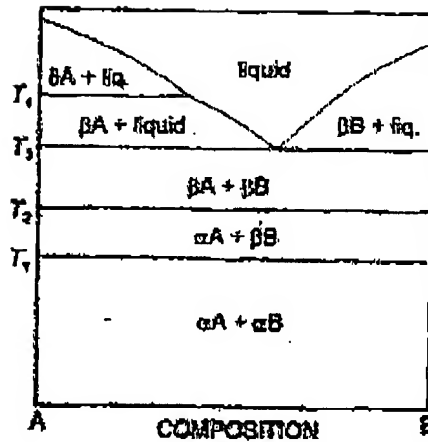
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Regarding Claim 8, the Examiner stated that it is not clear whether this claim further specifies the galvanized layer elements, additional steel material elements, and/or both. Claim 8 has been amended to clarify this point that the additional elements of Claim 8 further define the galvanized layer.

The Examiner also indicated that the terms, "Zn phase" and "Al phase" are not clear as to their structural and compositional limitations. These terms have been amended respectively to [Zn phase] and [Al phase] in order to be consistent with the description in the specification. Applicants are entitled to use any terms as long as they are understood by one of skill in the art or their boundary can be determined by one of skill in the art in view of the specification even if the subject matters referred by the terms are not easily definable with conventional chemical formulas or numeric values. For example, liquid water and ice have different solid state properties but such difference cannot be described simply by its chemical composition, *i.e.*, H₂O or structural limitations. Similarly, the terms, [Al phase] and [Zn phase] refer to particular solid states of alloys, which cannot be easily describable with simple chemical compositions or structural limitations. It is well known, however, that such different solid states can easily be distinguished or defined through phase diagrams such as following:

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Solid-solid phase diagram example for simple eutectic system

The specification of the instant application clearly defines [Al phase] and [Zn phase] in paragraphs [0027]–[0029]. Even though these [Al phase] and [Zn phase] cannot be defined by a composition or analytical numeric value because they refer to a physical status like water and ice, one of skill in the art would understand what they are and should be able to determine metes and bounds of the claimed invention in view of the specification. Claim terms would not indefinite as long as “one of skill in the art would understand them when the claim [is] read in light of the specification[.]” *Intellectual Property Development, Inc. v. UA-Columbia Cablevision of Westchester, Inc.*, 336 F.3d 1308 (Fed. Cir. 2003).

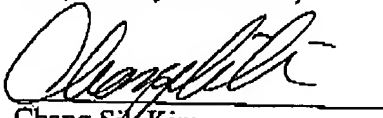
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Accordingly, applicants respectfully seek a notice of allowance of claims 7-12. A petition for two month extension of time has been concurrently filed along with an appropriate fee. Nevertheless, the Commissioner is hereby authorized to charge payment of any unanticipated fee or credit any overpayment to Deposit Account No. 02-4377.

Respectfully submitted,

Dated:

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